

RECEIVED  
CENTRAL FAX CENTER

APR 14 2005

**THE WEBB LAW FIRM**

700 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219-1818

Telephone: 412-471-8815 Facsimile: 412-471-4094

E-mail: webblaw@webblaw.com

**FACSIMILE INFORMATION SHEET****RESPONSE UNDER 37 C.F.R §1.116  
EXPEDITED PROCEDURE  
GROUP ART UNIT 1617**Name of Individual: MAIL STOP AF  
Commissioner for PatentsCompany: United States Patent and Trademark Office  
City and State: Alexandria, VA

Facsimile Number: 703-872-9306

From: Ann Marie Cannoni, Esquire

Total Number of Pages: 10

Date Transmitted: April 14, 2005

CV01490K US

Client No.: 4686

File No.: 050450

**Message:**

Application No. 10/057,339  
Inventors: Teddy Kosoglou, et al.  
Filed: January 25, 2002  
Title: COMBINATIONS OF STEROL ABSORPTION INHIBITOR(S)  
WITH CARDIOVASCULAR AGENT(S) FOR THE TREATMENT OF VASCULAR  
CONDITIONS

Transmittal Form (1p)  
Fee Transmittal 1p. (2x)  
Notice of Appeal (2pp)(3x)

If you do not receive all pages, please call back as soon as possible. The number is (412) 471-8815.

**STATEMENT OF CONFIDENTIALITY**

The information in this facsimile is privileged and confidential and is intended only for the use of the named recipient. Disclosure or copying of this document or its contents other than by the named recipient is prohibited. If this document is received in error, it should be returned to sender.

If there are any reception problems, please call 412-471-8815.

PTO/SB/21 (04-04)

Approved for use through 07/31/2008. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB

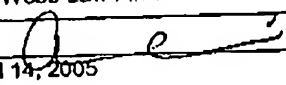
control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/057,339	
	Filing Date	January 25, 2005	
	First Named Inventor	Teddy Kosoglou et al.	
	Art Unit	1617	
	Examiner Name	Shobha Kantamneni	
Total Number of Pages in This Submission	9	Attorney Docket Number	CV01490KUS - 4686-050450

**ENCLOSURES (Check all that apply)**

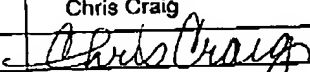
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication To Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please Identify below)
<b>Remarks</b>  		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Ann Marie Cannoni The Webb Law Firm
Signature	
Date	April 14, 2005

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Chris Craig	Date	4/14/2005
Signature			

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

U.S. Patent and Trademark Office; U.S. Patent and Trademark Administration

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)**FEE TRANSMITTAL  
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 500.00**Complete if Known**

Application Number	10/057,339
Filing Date	January 25, 2002
First Named Inventor	Teddy Kosoglou et al.
Examiner Name	Shobha Kantamneni
Art Unit	1617
Attorney Docket No.	CV01490K US/4686-050450

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 23-0650 Deposit Account Name: The Webb Law Firm

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

☒ Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
	360	180

**Multiple dependent claims**

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20						

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	
HP = highest number of independent claims paid for, if greater than 3			

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	
				Fee Paid (\$)


**4. OTHER FEE(\$)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Notice of Appeal

500.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	35,972	Telephone	412-471-8815
Name (Print/Type)	Ann Marie Camioni	Date	April 14, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

U.S. Patents and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)

**FEE TRANSMITTAL  
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 500.00**Complete if Known**

Application Number	10/057,339
Filing Date	January 25, 2002
First Named Inventor	Teddy Kosoglou et al.
Examiner Name	Shobha Kantamneni
Art Unit	1617
Attorney Docket No.	CV01490K US/4686-050450

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 23-0650 Deposit Account Name: The Webb Law Firm

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203a.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

**Total Claims** Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims Fee (\$) Fee Paid (\$)

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims** Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

Fee Paid (\$)


**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Notice of Appeal

500.00

**SUBMITTED BY**

Signature		Registration No. 35,972	Telephone 412-471-8815
Name (Print/Type)	Ann Marie Cannoni	(Attorney/Agent)	Date April 14, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1617

APR 14 2005

Application No. 10/057,339  
Paper Dated: April 14, 2005  
Attorney Docket No. CV01490K US/4686-050450

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/057,339  
Inventors : Teddy KOSOGLOU, et al.  
Filed : January 25, 2002  
Title : COMBINATIONS OF STEROL ABSORPTION  
INHIBITOR(S) WITH CARDIOVASCULAR  
AGENT(S) FOR THE TREATMENT OF VASCULAR  
CONDITIONS  
Group Art Unit : 1617  
Examiner : Shobha Kantamneni  
Customer No. : 28289

FACSMILE NO. 703-872-9306  
Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 27, 2004 of the Primary Examiner finally rejecting claims 1, 3, 22, 23, 33, 34, 43-46 and 49.

I hereby certify that this correspondence is being sent via facsimile to:  
Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

04/14/2005  
Date

Signature

Chris Craig

Typed Name of Person Signing Certificate

**Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1617**

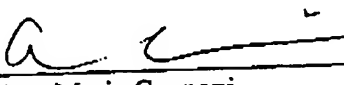
Application No. 10/057,339  
Paper Dated: April 14, 2005  
Attorney Docket No. CV01490K US/4686-050450

The Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650 or credit any overpayment to Deposit Account No. 23-0650. The original and two copies of this Notice of Appeal are attached.

Respectfully submitted,

THE WEBB LAW FIRM

By

  
Ann Marie Cannoni  
Attorney for Applicant  
Registration No. 35,972  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Telephone: (412) 471-8815  
Facsimile: (412) 471-4094  
E-mail: webblaw@webblaw.com

Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1617

RECEIVED  
CENTRAL FAX CENTER

APR 14 2005

Application No. 10/057,339  
Paper Dated: April 14, 2005  
Attorney Docket No. CV01490K US/4686-050450

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/057,339  
Inventors : Teddy KOSOGLOU, et al.  
Filed : January 25, 2002  
Title : COMBINATIONS OF STEROL ABSORPTION  
INHIBITOR(S) WITH CARDIOVASCULAR  
AGENT(S) FOR THE TREATMENT OF VASCULAR  
CONDITIONS  
Group Art Unit : 1617  
Examiner : Shobha Kantamneni  
Customer No. : 28289

FACSMILE NO. 703-872-9306  
Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 27, 2004 of the Primary Examiner finally rejecting claims 1, 3, 22, 23, 33, 34, 43-46 and 49.

I hereby certify that this correspondence is being sent via facsimile to:  
Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

04/14/2005  
Date

Signature

Chris Craig

Typed Name of Person Signing Certificate


**Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1617**

Application No. 10/057,339  
Paper Dated: April 14, 2005  
Attorney Docket No. CV01490K US/4686-050450

The Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650 or credit any overpayment to Deposit Account No. 23-0650. The original and two copies of this Notice of Appeal are attached.

Respectfully submitted,

THE WEBB LAW FIRM

By   
Ann Marie Cannoni  
Attorney for Applicant  
Registration No. 35,972  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Telephone: (412) 471-8815  
Facsimile: (412) 471-4094  
E-mail: webblaw@webblaw.com



Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1617

RECEIVED  
CENTRAL FAX CENTER

APR 14 2005

Application No. 10/057,339  
Paper Dated: April 14, 2005  
Attorney Docket No. CV01490K US/4686-050450

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/057,339  
Inventors : Teddy KOSOGLOU, et al.  
Filed : January 25, 2002  
Title : COMBINATIONS OF STEROL ABSORPTION  
INHIBITOR(S) WITH CARDIOVASCULAR  
AGENT(S) FOR THE TREATMENT OF VASCULAR  
CONDITIONS  
Group Art Unit : 1617  
Examiner : Shobha Kantamneni  
Customer No. : 28289

**FACSMILE NO. 703-872-9306**  
Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 27, 2004 of the Primary Examiner finally rejecting claims 1, 3, 22, 23, 33, 34, 43-46 and 49.

I hereby certify that this correspondence is being sent via facsimile to:  
Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

04/14/2005  
Date

Signature

Chris Craig

Typed Name of Person Signing Certificate

**Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1617**

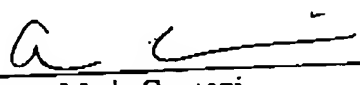
Application No. 10/057,339  
Paper Dated: April 14, 2005  
Attorney Docket No. CV01490K US/4686-050450

The Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650 or credit any overpayment to Deposit Account No. 23-0650. The original and two copies of this Notice of Appeal are attached.

Respectfully submitted,

THE WEBB LAW FIRM

By

  
Ann Marie Cannoni  
Attorney for Applicant  
Registration No. 35,972  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Telephone: (412) 471-8815  
Facsimile: (412) 471-4094  
E-mail: webblaw@webblaw.com